

Andrew G. Patel
Attorney-at-Law
80 Broad Street, Suite 1900
New York, New York 10004
Fax: 646-304-6604
Apatel@apatellaw.com

Telephone 212-349-0230

By ECF

April 27, 2021

Honorable William H. Pauley, III
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Alvarado Dominguez
16 Cr. 108 (WHP)

Dear Judge Pauley:

In accordance with Your Honor's Order of August 25, 2020 (dkt #198), I write to ask the Court to continue the stay of this case, which poses the question whether attempted Hobbs Act robbery is a "crime of violence" under 18 U.S.C. § 924(c). Although the Second Circuit recently decided that question against Mr. Dominguez in *United States v. McCoy*, ___ F.3d ___, 2021 WL 1567745 (2d Cir. Apr. 22, 2021), there is a circuit split on this issue that the government has asked the Supreme Court to resolve in *United States v. Taylor*, No. 20-1459 (cert pet. filed Apr. 14, 2021). I have communicated with Assistant United States Attorney David Denton, who has no objection to continuing the stay.

Respectfully submitted,

/s/Andrew Patel
Andrew G. Patel

cc: All counsel by ECF

Application granted.

Alvarado Dominguez (by Legal Mail)

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

April 28, 2021